

APPROVAL HISTORY OF THE SCHOOL FACILITY PROGRAM REGULATIONS

REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
1859. through 1859.106.	Final approval of the School Facility Program Regulations	12-03-98	10-08-99
1859.15.1.	Establishes a date (July 5, 1999) so districts can receive priority funding for LPP or SFP conversions of LPP projects	05-26-99	10-13-99
SAB 50-04	Amends the <i>Application for Funding</i> form to include the 60 percent commensurate for New Construction	06-23-99	12-22-99
1859.32.	Exclusion for permanent classrooms if construction contract signed between 08-27-98 through 11-18-98	08-25-99	01-07-00
1859.76.	Allows funding for parking structures on impacted sites	10-27-99	04-12-00
1859.81.1.	Allows the State's share of the project to be funded with hardship funds until New Construction or Modernization funding is available	10-27-99	04-12-00
1859.107.[New]	Governs requests withdrawing and resubmitting SFP applications in order to benefit from changes to the law or regulations	10-27-99	04-12-00
SAB 50-06	Amends the <i>Expenditure Report</i> form to reflect the type of interest earned on State/district funds		04-12-00
SAB 50-05 and SAB 50-06	Amends the <i>Fund Release Authorization</i> and <i>Expenditure Report</i> forms for certifying/reporting force account labor	12-08-99	06-26-00
1859.77.2.[New]	Allows: 1) for the development/ implementation of a remedial action plan as an eligible expenditure, and 2) new construction grants to be requested in excess of pupils assigned to a project	12-08-99	06-26-00
1859.2.	Provides additional specific definitions essential to the regulations	01-26-00	06-26-00
1859.13.	Site acquisition apportionments will not be reduced by previous apportionments	01-26-00	06-26-00
1859.14.	Explains conditions under which mod. Grant amounts will be reduced by the amount of prior apportionments	01-26-00	06-26-00
1859.16.	Explains the funding conditions for projects that are eligible to receive additional funding under the SFP	01-26-00	06-26-00

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REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
SAB 50-01 through SAB 50- 06	All of these forms have been amended to reflect the changes in the SFP regulations	01-26-00	06-26-00
1859.50.	Districts affected by a reorganization election can file an application for a determination of new construction baseline eligibility	01-26-00	06-26-00
1859.51.	Expands the components by which a new construction project's baseline eligibility will be adjusted	01-26-00	06-26-00
1859.70.	Provides application guidelines for districts affected by a reorganization election	01-26-00	06-26-00
1859.73.1.[New]	Establishes an additional new construction grant for small school districts for project assistance	01-26-00	06-26-00
1859.74.	1) Projects that received site acquisition funds under the LPP will not be eligible to receive additional grants, and 2) amends the eligible costs of environmental assessment costs	01-26-00	06-26-00
1859.74.2.[New]	Provides additional funding for 50 percent of the evaluation of hazardous materials at a site and 50 percent of other response costs for the removal of the hazardous waste/solid waste	01-26-00	06-26-00
1859.75.1.[New]	Allows requests for separate site acquisition apportionments by districts that have an environmental hardship, even if not a financial hardship dist.	01-26-00	06-26-00
1859.76.	Allows for the removal and relocation of portable classrooms on sites eligible for replacement	01-26-00	06-26-00
1859.77.1.	Specifies what a district may include as its district matching share requirement for New Construction	01-26-00	06-26-00
1859.78.2.[New]	Establishes an additional modernization grant for small school districts for project assistance	01-26-00	06-26-00
1859.79.	Specifies what a district may include as its district matching share requirement for modernization	01-26-00	06-26-00
1859.81.	Specifies that once a district has been notified by the OPSC that the financial hardship requirements have been met, it	01-26-00	06-26-00

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	has a period of six months from the notification date to file an application		
1859.81.1.	Specifies that a district meeting the financial hardship criteria is eligible to receive a separate site acquisition apportionment	01-26-00	06-26-00
1859.82.	Establishes the square footage amounts for replacement facilities and specific timeframes for application submittal	01-26-00	06-26-00
1859.90.	Specifies a timeframe for the release of State funds	01-26-00	06-26-00
1859.95.	Specifies that when funds are unavailable, the date site apportionments were made for environmental hardship projects shall be their information list date	01-26-00	06-26-00
1859.103.	Specifies how interest earned on financial hardship projects will be treated	01-26-00	06-26-00
1859.104.	Requires a district to submit a progress report 12 months from the date site acquisition funds were apportioned	01-26-00	06-26-00
1859.105.	Provides that a review shall be conducted and establishes criteria of acceptable evidence assuring substantial progress has been made towards the completion of the project	01-26-00	06-26-00
1859.105.1.[New]	Provides that upon receipt of the progress report, the OPSC shall conduct a review within 60 days and establishes acceptable evidence criteria assuring progress has been made towards acquisition of the site	01-26-00	06-26-00
1859.106.	Allows for adjustments in the SFP grant	01-26-00	06-26-00
SAB 50-02 through SAB 50-05	All of these forms have been amended to reflect the changes in the SFP regulations	07-05-00	07-17-00: Emergency Approval12-27-00: Final Approval
1859.51.	Provides an adjustment for new construction projects based on special day class loading standards	07-05-00	07-17-00: Emergency Approval12-27-00: Final Approval

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REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
1859.61.	Provides an adjustment for modernization projects based on special day class loading standards	07-05-00	07-17-00: Emergency Approval12-27- 00: Final Approval
1859.71.1.[New]	Establishes specific per pupil funding amounts for new construction applications for severely disabled and non-severely disabled individuals with exceptional needs	07-05-00	07-17-00: Emergency Approval12-27- 00: Final Approval
1859.72.	Deletes the percentage increases of 10 and 100 percents for severely and non-severely disabled individuals with exceptional needs and provides for an increase in the new construction grant for therapy room area only	07-05-00	07-17-00: Emergency Approval12-27- 00: Final Approval
1859.78.1.	Repeals this section in its entirety as the funding augmentations for severely and non-severely disabled individuals with exceptional needs are no longer valid	07-05-00	07-17-00: Emergency Approval12-27- 00: Final Approval
1859.78.3.[New]	Establishes specific per pupil funding amounts for modernization applications for severely and non-severely disabled individuals with exceptional needs	07-05-00	07-17-00: Emergency Approval12-27- 00: Final Approval
1859.79.3.[New]	Establishes a minimum number of 101 grants a district must request when applying for modernization funding or, if less than 101 grants, using up the remaining modernization eligibility at the school site	04-26-00	09-12-00
1859.81.1.	Increases design apportionments for New Construction projects to 40 percent, and allows districts to request additional design apportionments, up to the 40 percent maximum, for those projects that received previous design apportionments	04-26-00	09-12-00
1859.2.	Defines additional specific terms essential to the regulations	12-13-00	01-02-01: Emergency Approval06-13- 01: Final Approval

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REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
1859.91.	Provides the specific manner in which the SAB implements the priority point system in order to fund new construction projects monthly and quarterly	12-13-00	01-02-01: Emergency Approval06-13- 01: Final Approval
1859.92.	Provides for a more uniform and equitable distribution of priority points that will facilitate funding to the most needy districts	12-13-00	01-02-01: Emergency Approval06-13- 01: Final Approval
1859.95.	Defines how the SAB will proceed with applications due to no available funding or because the applications do not qualify for funding due to the priority point mechanism, and addresses the issues of eligibility and reimbursement for projects that are placed on unfunded lists (waiting lists for future funding)	12-13-00	01-02-01: Emergency Approval06-13- 01: Final Approval
SAB 50- 01ThroughSAB 50-05	All of these forms have been amended to reflect the changes in the SFP regulations	12-13-00	01-02-01: Emergency Approval06-13- 01: Final Approval
1859.83	Excessive Cost Hardship Grant, specifically 1859.83(c), construction of a new “starter” school project [New School Additional Grant Offsets formula]	07-05-00	04-05-01
1859.2.	Defines additional specific terms essential to the regulations	02-28-01	07-25-01
1859.22.[New]	Allows a district to request SFP grants that will be used to construct or modernize facilities that are or will be located on leased land not owned by the district	02-28-01	07-25-01
1859.73.2.[New]	Allows a district to demolish a single story facility and replace it with a multi-story facility on the same site as long as the district increases the pupil capacity of the replacement facility on the site	02-28-01	07-25-01
1859.74.3.[New]	Establishes the additional grant criteria for leased sites	02-28-01	07-25-01
SAB 50-04	This form has been amended to reflect the changes in the SFP regulations	02-28-01	07-25-01

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REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
1859.77.2.	Provides a lower threshold of 135 percent of capacity for use of grants requests thus alleviating the need for extensive reviews, and specifies criteria for use of grants requests when priority points are in effect and not in effect	03-28-01	08-13-01
1859.94.	Allows for school districts to accept partial apportionments while maintaining the unfunded portion of the request on the Unfunded List	03-28-01	08-13-01
1859.95.	Provides clarity as to development of the Unfunded List based upon the project being Ready for Apportionment rather than when the application is accepted	03-28-01	08-13-01
SAB 50-04	This form has been amended to reflect the changes in the SFP regulations	03-28-01	08-13-01
1859.2.	Defines an additional specific term essential to the regulations	06-27-01	12-21-01
1859.81.	Provides clarification with regard to appropriate interim housing allowances and how the review process works from initial approval to subsequent approvals, and specifies fair and equitable standards for establishing "true" financial hardships based on changes in law	06-27-01	12-21-01
1859.2.	Defines additional specific terms essential to the regulations	07-25-01	04-10-02
1859.41.	Provides criteria for school districts that are seeking to change their eligibility application filing basis from district-wide to HSAA or Super HSAA and the restrictions once this filing basis is instituted	07-25-01	04-10-02
1859.50.	Incorporates language that is consistent with Regulation Section 1859.41	07-25-01	04-10-02
1859.74.4.[New]	Provides specific criteria for school districts seeking funding for hazardous waste removal on existing sites	07-25-01	04-10-02
1859.106.	Provides direction in relation to the final close-out audit determination of the final site value that would allow for hazardous remediation costs	07-25-01	04-10-02

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REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
1859.107.	Provides clarity and consistency with Regulation Section 1859.41, and provides processing direction to school districts seeking to change their application filing basis	07-25-01	04-10-02
SAB 50-01ThroughSAB 50-04	All of these forms have been amended to reflect the changes in the SFP regulations	07-25-01	04-10-02
1859.2.	Defines an additional specific term essential to the regulations	08-22-01	06-01-02
1859.51.	Provides a mechanism for adding pupils back into the New Construction eligibility baseline lost as a result of the SAB finding a material inaccuracy	08-22-01	06-01-02
1859.61.	Provide a mechanism for adding pupils back into the Modernization eligibility baseline lost as a result of the SAB finding a material inaccuracy	08-22-01	06-01-02
1859.91.	Provide a system for modifying the application processing date for those school districts delayed by a key state agency	08-22-01	06-01-02
1859.95.	Provides for a process in times when school district projects have insufficient priority points or funding is unavailable and their project approval date needs to be changed on an Unfunded List	08-22-01	06-01-02
1859.104.1.[New]	Provides further direction relative to the material inaccuracy penalties based on the different scenarios in the statute	08-22-01	06-01-02
1859.104.2.[New]	Provides clarify with respect to what the new application filing process will be after a material inaccuracy has been declared	08-22-01	06-01-02
1859.104.3.[New]	Provides specificity to the procedures with respect to the review of an application package	08-22-01	06-01-02
1859.2.	Defines an additional specific term essential to the regulations	09-26-01	06-01-02
1859.102.	Requires that an applicant district must certify compliance, on an annual basis, that its major maintenance plan reflects ongoing work and that the plan has been publicly approved	09-26-01	06-01-02

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REGULATION SECTION(S)	DESCRIPTION	SABBOARD DATE	APPROVED REGULATION EFFECTIVE DATE
SAB 50-04	This form has been amended to reflect changes as noted in Section 1859.102, above	09-26-01	06-01-02